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FISCAL IMPACT STATEMENT

LS 6859

BILL NUMBER: HB 1288

NOTE PREPARED: Jan 13, 2008

BILL AMENDED:

SUBJECT: Certification for Behavior Analysts.

FIRST AUTHOR: Rep. Summers

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: The bill requires behavior analysts to be certified. The bill establishes the State Board of Behavior Analysts (the Board). The bill establishes criteria for certification of behavior analysts.

Effective Date: July 1, 2008.

Explanation of State Expenditures: *Summary-* The Professional Licensing Agency (PLA) currently provides staffing for 39 professional boards and commissions. Under the bill, the PLA would assume the administrative duties to the Board. There are 23 Behavior Analyst Certification Board (BACB) certified behavior analysts known to practice in Indiana. It is likely the PLA would be able to process certifications within existing staff resources. (See: *Explanation of State Revenues*).

If an additional staff person were needed to process certifications and carry out other administrative duties to the Board, the expenditure would be approximately \$39,252 in FY 2009 (including salary, benefits, and office expenses). As of July 2, 2007, the PLA had five vacancies worth \$120,900 in salary. The PLA did not revert funds to the state General Fund at the close of FY 2007.

Explanation of State Revenues: *Fees-* The Board would establish application fees to certify and re-certify behavior analysts. State certifications would expire after two years. Twenty-three behavior analysts in Indiana are known to be certified by the BACB. Certification with the BACB would be one of the criteria for state certification. A \$100 fee would generate approximately \$2,300 if all known current BACB certified behavior analysts sought state certification. Fees would be deposited into the state General Fund.

Penalty Provision: A violation of the proposed behavior analyst certification requirements would constitute

a Class C infraction. The maximum judgment for a Class C infraction is \$500, which would be deposited in the state General Fund. However, any additional revenue is likely to be small.

Background- The Social Work, Marriage and Family Therapist, and Mental Health Counselor Board currently regulates behavioral science corporations. There were 18 licensed as of 10/31/2007.

Explanation of Local Expenditures:

Explanation of Local Revenues: *Penalty Provision:* If additional court actions are filed and a judgment is entered, local governments would receive revenue from court fees. However, any additional revenue is likely to be small.

State Agencies Affected: Professional Licensing Agency.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: Association of Behavior Analysis, 269-492-9310; Behavior Analyst Certification Board website: <http://bacbreg.macusa.net>; Indiana State Budget Agency: FY 2007 Close-Out General Fund Reversion Summary; State of Indiana Detail Staffing Report 7/2/2007; Professional Licensing Agency.

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